

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. CR-15-113-R-6
)	
)	
ROBERT ERNEST WILSON,)	
)	
Defendant.)	

ORDER

Defendant has filed a pro se letter [Doc. No. 403] that the Court construes as a Motion for Compassionate Release pursuant to 18 U.S.C. § 3582(c)(1)(A). Defendant Wilson is serving a 188-month sentence of imprisonment for conspiracy to possess methamphetamine with intent to distribute. He requests that his sentence be reduced so that he can provide care for his ailing mother. Defendant’s prior motion seeking compassionate release [Doc. No. 395] was denied on the merits [Doc. No. 399].

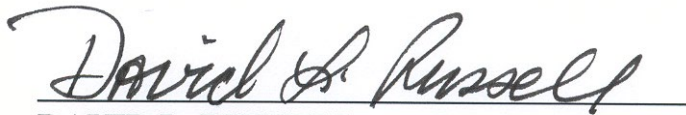
The Tenth Circuit has adopted a three-step test for district courts to apply when considering motions filed under § 3582(c)(1). *United States v. McGee*, 992 F.3d 1035, 1042-43 (10th Cir. 2021). Under that test, a court may reduce a sentence if the defendant has administratively exhausted his claim and “meets three requirements: (1) extraordinary and compelling reasons warrant a sentence reduction; (2) such a reduction is consistent with the applicable policy statements issued by the Sentencing Commission; and (3) the factors set forth in 18 U.S.C. § 3553(a) support early release.” *United States v. Pepper*, 851

F. App'x 890, 891 (10th Cir. 2021) (citing *McGee*, 992 F.3d at 1042). “If any of the requirements are lacking, the district court may deny the motion without addressing other factors.” *Id.*

The Court denies Defendant's motion because the § 3553(a) factors do not warrant a sentence reduction. The Court has considered each of the § 3553(a) factors and finds the following to be particularly relevant: the nature and circumstances of the offense; Defendant's history and characteristics; the need to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense; and the need to protect the public from further crimes of Defendant. Although Defendant represents that he has adjusted well to incarceration, he was convicted of a serious crime and has an extensive criminal history. Defendant has long engaged in conduct that threatens public safety and the Court finds that Defendant's sentence adequately serves the sentencing factors.

Although the Court is sympathetic to Defendant's wish to care for his mother, the factors set forth in § 3553(a) do not support a sentence reduction. Defendant's motion [Doc. No. 403] is therefore denied.

IT IS SO ORDERED this 5th day of February, 2024.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE